



**GOBIERNO DE PUERTO RICO**  
**DEPARTAMENTO DE ESTADO**



August 23, 2022

Cristina Arenas Solis  
221 Ponce de León Avenue Piso 5  
San Juan, PR 00917

**SUBJECT MATTER**  
**MARK**  
**CLASS**  
**FILING NUMBER**  
**FILING DATE**  
**APPLICANT**

**Office Action**  
**HAMILTON**  
**MEDICAL**  
**035**  
**246219-35-0**  
**November 29, 2021**  
**Hamilton Germany GmbH**

To whom it may concern:

In order to proceed with the examination of the said mark Applicant must submit the following information:

- |               |  |
|---------------|--|
| <u>  x  </u>  | 1. State clearly the goods or services in connection with the mark as used or intended to be used in commerce in Puerto Rico. This applies if the Applicant customized the selection of goods or services. |
| <u>      </u> | 2. Provide a drawing of the mark as used or as intended to be used in commerce in Puerto Rico.   |
| <u>  x  </u>  | 3. Provide a detailed description of the mark as used or as intended to be used in commerce in Puerto Rico.  |
| <u>      </u> | 4. Provide a specimen that shows the mark in connection with the goods or services identified in your application.   |
| <u>      </u> | 5. Applicant must disclaim those terms or components of the mark which are not susceptible of exclusive appropriation.   |
| <u>      </u> | 6. Others.   |
| <u>      </u> | 1. The registration for the applied mark is refused on the following grounds:  |

**OFFICE ACTION**

The P.R. Trademark Office (the "PRTO") has reviewed its records and has determined that there are no similar or pending marks that would bar registration of this mark under the P.R. Trademark Act. However, in order to proceed with the examination of the mark, the PRTO requires the Applicant to amend the application as follows:

## Description of Goods is Overly Broad:

Rule 20 of the Trademark Registry Procedure Code of the Department of State for The Commonwealth of Puerto Rico (hereinafter, the Rules) provides that applications for registration of trademarks must include a list of the goods or services in relation to which a Trademark registration is desired.

An application of a mark must specify the goods or services on or in connection with which the Applicant uses, the mark in commerce. The identification should set forth common names, using terminology that is generally understood. The identification of goods or services must be specific, definite, clear, accurate, and concise. See *In re Societe Generale des Eaux Minerales de Vittel S.A.*, 1 USPQ2d 1296 (TTAB 1986), reversed on other grounds, 824 F.2d 957 (Fed. Cir. 1987); *Procter & Gamble Co. v. Economics Laboratory, Inc.*, 175 USPQ 505 (TTAB 1972), modified without opinion, 498 F.2d 1406 (C.C.P.A. 1974); *In re Cardinal Laboratories, Inc.*, 149 USPQ 709 (TTAB 1966); *California Spray-Chemical Corp. v. Osmose Wood Preserving Co. of America, Inc.*, 102 USPQ 321 (Comm'r Pats. 1954); *Ex parte A.C. Gilbert Co.*, 99 USPQ 344 (Comm'r Pats. 1953).

The wording: "Advertising, marketing and promotional services; business management; business administration; business management consulting; advice relating to the organisation and management of business; business consultancy services relating to manufacturing; business analysis, research and information services; display services for merchandise; organisation of exhibitions and trade fairs for business and promotional purposes; product demonstrations and presentations, including via the internet; commercial services and consumer information, namely organising business contacts, procurement services, for others, negotiation and conclusion of commercial transactions for third parties; compilation and systemisation of data and information into electronic databases; business project management; customer relationship management, namely receiving, recording and forwarding customer queries or customer complaints, electronically or by telephone; business organisation planning relating to the operational time and point of operation of medical products; retailing and wholesaling, and online and catalogue mail order, all of the aforesaid for the following goods: diagnostic preparations, pharmaceutical preparations, chemical preparations for medical or pharmaceutical purposes, reagents for providing diagnosis in medicine or veterinary medicine, adhesive tapes for medical purposes, medical diagnostic test strips, medical diagnostic reagents and tests for testing bodily fluids, reagents for in-vitro laboratory tests for medical and veterinary purposes, electrolyte solutions for medical use, sterile solutions for medical purposes, machines and machine tools, motors and engines (except for land vehicles), machine coupling and transmission components (except for land vehicles), compressors, robotic apparatus, robotic filling machines, vacuum controllers, pumps, pumps being machine parts, valves operated by changes in pressure, hydraulically controlled automatic valves, power-operated valves, mechanical valves for regulating fluid flow, motorised valves, pneumatically controlled automatic valves, valves for pumps, blowing machines for the compression, exhaustion and transport of gases, self-regulating pumps, other than for dispensing fuels at service stations, fittings and accessories for all the aforesaid goods, included in this class, apparatus, instruments and cables for electricity, measuring, detecting and monitoring instruments, devices and regulators, electric apparatus for controlling, electrical controllers for robots, electronic control apparatus, control units and timing systems, scientific, optical, analytical, measuring, dosing, diagnostic and checking (supervision) apparatus and instruments, scientific, optical, analytical, measuring, dispensing, diagnostic and checking (supervision) apparatus and instruments for use in laboratories, scientific research and laboratory apparatus for the purpose of storing,

transporting and managing biological, clinical, chemical, forensic and biopharmaceutical substances and samples, temperature regulating and temperature monitoring instruments, temperature display apparatus, temperature regulating apparatus, temperature recording apparatus, temperature measuring apparatus for scientific purposes, temperature measuring apparatus for scientific use, temperature feedback units, digital cameras, wireless and wired transmitters, wireless and wired receivers, wired and wireless communication devices, wireless and wired two-way communications systems, wireless and wired communications apparatus for the transmission of data, interfaces for computers, apparatus and instruments for use in clinical, analytical and biopharmaceutical laboratories, life-saving apparatus, life-saving apparatus and equipment, calculating machines, data recording and processing apparatus, printers, computer, tablet computers, mobile computers, micro-pumps, analysers for liquids, barcode readers, electrodes, electrodes for sensors, cathodes, sensors and detectors, sensors for measuring instruments, sensors for touch screens, optical sensors, electro-optical sensors, optical fibre sensors, optical sensors for water level detection, water level detection apparatus, water gauges, water level indicators, electronic sensors, housings for measuring equipment and sensors, holding devices for measuring equipment and sensors, protective sleeves and protective films for measuring devices and sensors, protective cases and protective films for touchpads (electric), electronic touchpads, computer touchpads, computer touchscreens, screens, displays, monitors for computers, touchscreen monitors, diaphragms for scientific apparatus, programmes, software for medical purposes, data processing equipment for medical use, electronic controls for automatic valves, laboratory apparatus for collecting, dispensing, transporting and positioning objects and substances in solid, liquid or gas form, apparatus and instruments for checking (supervision) respirators for artificial respiration, analysis robots not for medical purposes, apparatus for recording, transmission and reproduction of sound, images and data, data carriers for recording images, sound and data, computer network apparatus, data communications apparatus, computer networking equipment, data communications equipment, mobile and wired data communications equipment, mobile and wired communications terminals, data communications receivers, data transmission networks, computer networking hardware, data communications hardware, WLAN apparatus, hand-held digital electronic devices for data processing, information processing, storing and displaying data, transmitting and receiving data, transmission of data between computers, and software related thereto, blank computer storage media, USB keys, USB cables, USB card readers, readers for memory cards, adapter for memory card, memory card readers, optical memory cards, flash memory cards, secure digital storage cards, recorded data, audio-visual and information technology equipment, electronic devices for processing data, processing information, storing and displaying data, transmitting and receiving data, and transmitting data between computers, electric control panels, power supply aggregates, electric mains apparatus, cables for data synchronisation, cables for data transmission, cables for electric signal transmission, connections for electric cables, technical medical apparatus for the electronic recording, transforming, displaying, accumulating, transmitting and printing of data, in particular, customer data, software, software for monitoring and controlling respirators and respiratory support apparatus, computer software for wireless and wired network communications, computer software for wireless and wired content transmission, computer software and computer firmware, namely operating system programs and data synchronisation programs, database synchronisation software, computer software for the synchronization of data between a remote station or device and a fixed or remote station or device, USB operating software (universal serial bus), software and hardware for telephone-based information queries, application software, application software for mobile telephones, application software for wireless and wired apparatus, downloadable software applications for use with mobile and wired apparatus, data processing equipment, computer peripherals, wired and wireless computer

peripherals, touchpads (electric), electronic touchpads, computer touchpads, computer touchscreens, screens, displays, monitors for computers, touchscreen monitors, medical, dental, veterinary, medical electric and surgical apparatus and instruments, medical respiratory apparatus, anaesthetic apparatus, respirators for artificial respiration, respiratory apparatus for patients, respiratory apparatus for intensive care units, respiratory apparatus for newborns for prevention of asphyxiation, humidifiers for respiration, humidification chambers for respiratory apparatus, connectors for humidifiers, humidification chambers and nebulisers being parts for medical apparatus, fasteners for humidifiers and nebulisers being parts of medical apparatus, humidifiers for medical purposes and medical treatments, humidifiers for use with respiratory apparatus, humidifiers for medical treatments, humidifiers for use with respiratory therapy apparatus, water refill tubes for humidification chambers for medical purposes and medical treatments, water refill tubes for humidifiers for use with respiratory treatment apparatus, artificial noses for medical purposes, protective nose masks for medical purposes, nasal cannulas for medical purposes, nose masks for artificial respiration for medical purposes, respiratory masks for artificial respiration, respiratory masks for respiratory assistance for medical purposes, masks for non-invasive respiration, anaesthesia face masks, nasal prongs for newborns and adults, face masks for medical purposes, sets of respiratory tubes for respiratory apparatus, single-use sets of respiratory tubes for respiratory apparatus, autoclavable sets of respiratory tubes, breathing tubes, in particular tubes being accessories for respiration and anaesthesia, respiratory tubes, surface-heated respiratory tubes, endotracheal tube cuffs for medical purposes, inflatable endotracheal tube cuffs for artificial respiration for medical purposes, cuff pressure monitors, apparatus and equipment for measuring, monitoring and adjustment of pressure in endotracheal tube cuffs for medical purposes, apparatus and devices for measuring and monitoring transpulmonary pressure, soda lime cartridges, heat and moisture filters for respiratory apparatus, valves for respiratory apparatus, expiration valves in the form of parts for medical apparatus, expiration valves for medical respiratory apparatus, expiration valves for maintaining lung pressure, PEEP activators in the form of parts for respiratory apparatus for maintaining pressure, pressure reducers for medical purposes, pressure reducers for medical respirators, measuring cuvettes for medical purposes for determining the carbon dioxide content of the air exhaled by a human, and for analysis of the air flow, sensors for medical purposes, sensors for measuring respiratory flow and breath pressure, sensors for measuring oxygen saturation in the blood, CO<sub>2</sub> sensors for medical purposes, FiO<sub>2</sub> sensors, SpO<sub>2</sub> sensors for medical purposes, flow sensors for medical purposes, NMT sensors for medical purposes, sensors for respiratory mechanisms, sensors for measuring the pressure in inflatable endotracheal tube cuffs for artificial respiration for medical purposes, sensors for measuring transpulmonary pressure for medical purposes, temperature indicators for medical purposes, temperature measuring apparatus for medical purposes, temperature scanners for medical purposes, temperature monitors for medical purposes, electronic temperature monitors for medical purposes, electronic temperature recorders for medical purposes, temperature regulation instruments for medical purposes, temperature sensors for medical purposes, medical skin sensors and disposable sensors for temperature measurement, sensors for measuring the temperature of breathing air for use in medical respiratory apparatus, temperature probes for medical purposes, sensors for measuring the humidity of breathing air for use in medical respiratory apparatus, optical temperature measuring instruments for medical examination purposes, optical fibre temperature probes for medical diagnostic purposes, temperature-sensitive test instruments and test apparatus for medical purposes, optical scanners for medical examination purposes, optical sensors for water level detection in humidification chambers for medical respiratory apparatus, electrodes for medical apparatus, electrodes for medical use, electrodes for recording biological parameters, non-selective electrodes as chemically sensitive probes (for medical purposes), ECG electrodes,

disposable and reusable ECG cables, NMT adapters for medical purposes, NMT electrode cables for medical purposes, nasal cannulae, sprayers for medical purposes, portable nebulisers for medical purposes, pumps for medical use, compressors for medical purposes, filters for medical purposes for purifying breathing air, medical filtering membranes, bacterial filters, water traps being parts and/or accessories for medical apparatus, mechanical filters for respiratory apparatus, airway adapters, filters for respiration systems, connectors for filters for respiratory systems, tube extensions for breathing tubes, breathing bags, test lungs, manual respiration bags, humidification chambers for breathing tube systems, tube heaters in the form of parts for medical apparatus, tube heater adapters in the form of parts for medical apparatus, tube clips in the form of parts for medical apparatus, tube connectors in the form of parts for medical apparatus, compressed air installations and systems for medical purposes, consisting of apparatus and fixed devices for processing, monitoring and providing medical compressed air, gas supply installations and systems for medical purposes, consisting of apparatus and fixed devices for preparing, checking and providing gases for medical purposes, vacuum regulators for medical purposes, spirometers for medical purposes, spirometry apparatus, tubing for medical purposes, medical compressed air tubes, tube systems consisting of tubes for medical purposes, in particular tubes for anaesthesia, respiratory tubes and tubes for medical suction, tube adapters, valves, connectors and accessories, surface-heated respiratory tube systems, filters for medical purposes, pipettes for medical purposes, syringes for medical purposes, medical syringe needles, syringe pumps for medical purposes, septa for medical purposes, apparatus for use in medical analysis, apparatus for use in medical analysis for conducting analyses on blood of human origin, spirometers, measuring devices for medical purposes, measuring instruments adapted for medical use, devices for measuring cardiac, circulatory, respiratory and pulmonary functions, testing instruments for medical purposes, sphygmotensimeters, blood pressure monitoring devices, heart rate monitors for medical purposes, heart rate counters for medical purposes, manual probe heads for medical purposes, medical apparatus and instruments for primary care and stabilisation of newborns, air temperature sensors for incubators, air inlet filters for incubators, O2 distributors for incubators, dispensers for administering and selecting reagent instruments for medical use, apparatus for measuring body signals in connection with patient analysis, patient monitoring apparatus, patient monitoring alarms and patient monitoring sensors, apparatus and instruments for monitoring patients, in particular patient monitoring apparatus, patient monitoring sensors and alarms, alarm management systems for patient monitoring, consisting of patient monitoring apparatus, patient monitoring alarms and/or software for patient monitoring apparatus and patient monitoring alarms, gas emergency signal monitors for monitoring medical gases and gas installations in hospitals, clinical information systems for monitoring patients, consisting of patient monitoring apparatus and patient monitoring alarms, systems for monitoring patient data, consisting of patient monitoring apparatus and patient monitoring alarms, test systems, consisting of testing apparatus for testing the function of medical apparatus and analysis or diagnostic apparatus for medical apparatus, medical analysis apparatus for use in laboratories, medical imaging devices, monitor holders being accessories for medical apparatus and medical furniture, precision instruments for medical purposes, analysis robots for medical purposes, containers for medical waste, containers especially designed for disposing of medical instruments, syringes and other contaminated medical waste, heating plates for humidifiers for use with medical respiratory apparatus, probes for medical use, freezing installations for medical purposes, printed matter, writing supplies, sanitary pads, books, newsletters, magazines, pamphlets, and brochures, greeting cards, prospectuses, operating instructions and technical documentation, garbage bags of paper or of plastics, valves, not of metal, containers, and closures and holders therefor, not of metal, containers for storage purposes, other than for household or kitchen use, flexible containers of plastic for storing and transporting liquids,

stackable filing boxes of plastic, drains of plastic, fixing materials, connectors and holders for tubes, not of metal, sharing, accessories and replacement parts for the aforesaid goods; rental of objects in connection with the providing of the aforesaid services, included in this class; collection of data; collection of data for use in scientific research.." under International Class 035, contains language that isn't specific enough therefore, resulting in a broad description of the products.

The Registry has discretion to require the degree of specificity necessary to identify the goods or services in relation to which the mark is used in the commerce of Puerto Rico.

The applicant may adopt the following recitation of goods, if accurate:

#### Class 035

Advertising, marketing and promotional services; business management; business administration; business management consulting; advice relating to the organisation and management of business; business consultancy services relating to manufacturing; business analysis **{indicate specific type/purpose of services, i.e., in the nature of business management analysis}**; research and information services; display services for merchandise **{indicate specific type/purpose of services, i.e., in the nature of Business merchandising display services}**; organisation of exhibitions and trade fairs for business and promotional purposes; product demonstrations and presentations, including via the internet **{indicate specific type/purpose of services, i.e., in the nature of Product demonstration and Organisation and conducting of product presentations}**; commercial services and consumer information, namely, organising business contacts, procurement services, for others, negotiation and conclusion of commercial transactions for third parties **{indicate specific type/purpose of services, i.e., in the nature of Procuring of contracts for the purchase and sale of goods}**; compilation and systemisation of data and information into electronic databases **{indicate specific type/purpose of services, i.e., in the nature of Compilation of information into computer databases}**; business project management; customer relationship management, namely, receiving, recording and forwarding customer queries or customer complaints, electronically or by telephone; business organisation planning relating to the operational time and point of operation of medical products **{indicate specific type/purpose of services, i.e., in the nature of assistance, advisory services and consultancy with regard to business planning, business analysis, business management, business organization, marketing and customer analysis}**; retailing and wholesaling, and online and catalogue mail order, all of the aforesaid for the following goods **namely**, diagnostic preparations, pharmaceutical preparations, chemical preparations for medical or pharmaceutical purposes, reagents for providing diagnosis in medicine or veterinary medicine, adhesive tapes for medical purposes, medical diagnostic test strips, medical diagnostic reagents and tests for testing bodily fluids, reagents for in-vitro laboratory tests for medical and veterinary purposes, electrolyte solutions for medical use, sterile solutions for medical purposes, machines and machine tools, motors and engines (except for land vehicles), machine coupling and transmission components (except for land vehicles), compressors, robotic apparatus, robotic filling machines, vacuum controllers, pumps, pumps being machine parts, valves operated by changes in pressure, hydraulically controlled automatic valves, power-operated valves, mechanical valves for regulating fluid flow, motorised valves, pneumatically controlled automatic

valves, valves for pumps, blowing machines for the compression, exhaustion and transport of gases, self-regulating pumps, other than for dispensing fuels at service stations, fittings and accessories for all the aforesaid goods, included in this class, apparatus, instruments and cables for electricity, measuring, detecting and monitoring instruments, devices and regulators, electric apparatus for controlling, electrical controllers for robots, electronic control apparatus, control units and timing systems, scientific, optical, analytical, measuring, dosing, diagnostic and checking (supervision) apparatus and instruments, scientific, optical, analytical, measuring, dispensing, diagnostic and checking (supervision) apparatus and instruments for use in laboratories, scientific research and laboratory apparatus for the purpose of storing, transporting and managing biological, clinical, chemical, forensic and biopharmaceutical substances and samples, temperature regulating and temperature monitoring instruments, temperature display apparatus, temperature regulating apparatus, temperature recording apparatus, temperature measuring apparatus for scientific purposes, temperature measuring apparatus for scientific use, temperature feedback units, digital cameras, wireless and wired transmitters, wireless and wired receivers, wired and wireless communication devices, wireless and wired two-way communications systems, wireless and wired communications apparatus for the transmission of data, interfaces for computers, apparatus and instruments for use in clinical, analytical and biopharmaceutical laboratories, life-saving apparatus, life-saving apparatus and equipment, calculating machines, data recording and processing apparatus, printers, computer, tablet computers, mobile computers, micro-pumps, analysers for liquids, barcode readers, electrodes, electrodes for sensors, cathodes, sensors and detectors, sensors for measuring instruments, sensors for touch screens, optical sensors, electro-optical sensors, optical fibre sensors, optical sensors for water level detection, water level detection apparatus, water gauges, water level indicators, electronic sensors, housings for measuring equipment and sensors, holding devices for measuring equipment and sensors, protective sleeves and protective films for measuring devices and sensors, protective cases and protective films for touchpads (electric), electronic touchpads, computer touchpads, computer touchscreens, screens, displays, monitors for computers, touchscreen monitors, diaphragms for scientific apparatus, programmes, software for medical purposes, data processing equipment for medical use, electronic controls for automatic valves, laboratory apparatus for collecting, dispensing, transporting and positioning objects and substances in solid, liquid or gas form, apparatus and instruments for checking (supervision) respirators for artificial respiration, analysis robots not for medical purposes, apparatus for recording, transmission and reproduction of sound, images and data, data carriers for recording images, sound and data, computer network apparatus, data communications apparatus, computer networking equipment, data communications equipment, mobile and wired data communications equipment, mobile and wired communications terminals, data communications receivers, data transmission networks, computer networking hardware, data communications hardware, WLAN apparatus, hand-held digital electronic devices for data processing, information processing, storing and displaying data, transmitting and receiving data, transmission of data between computers, and software related thereto, blank computer storage media, USB keys, USB cables, USB card readers, readers for memory cards, adapter for memory card, memory card readers, optical memory cards, flash memory cards, secure digital storage cards, recorded data, audio-visual and information technology equipment, electronic devices for processing data, processing information, storing and displaying data, transmitting and receiving data, and transmitting data between computers, electric

control panels, power supply aggregates, electric mains apparatus, cables for data synchronisation, cables for data transmission, cables for electric signal transmission, connections for electric cables, technical medical apparatus for the electronic recording, transforming, displaying, accumulating, transmitting and printing of data, in particular, customer data, software, software for monitoring and controlling respirators and respiratory support apparatus, computer software for wireless and wired network communications, computer software for wireless and wired content transmission, computer software and computer firmware, namely, operating system programs and data synchronisation programs, database synchronisation software, computer software for the synchronization of data between a remote station or device and a fixed or remote station or device, USB operating software (universal serial bus), software and hardware for telephone-based information queries, application software, application software for mobile telephones, application software for wireless and wired apparatus, downloadable software applications for use with mobile and wired apparatus, data processing equipment, computer peripherals, wired and wireless computer peripherals, touchpads (electric), electronic touchpads, computer touchpads, computer touchscreens, screens, displays, monitors for computers, touchscreen monitors, medical, dental, veterinary, medical electric and surgical apparatus and instruments, medical respiratory apparatus, anaesthetic apparatus, respirators for artificial respiration, respiratory apparatus for patients, respiratory apparatus for intensive care units, respiratory apparatus for newborns for prevention of asphyxiation, humidifiers for respiration, humidification chambers for respiratory apparatus, connectors for humidifiers, humidification chambers and nebulisers being parts for medical apparatus, fasteners for humidifiers and nebulisers being parts of medical apparatus, humidifiers for medical purposes and medical treatments, humidifiers for use with respiratory apparatus, humidifiers for medical treatments, humidifiers for use with respiratory therapy apparatus, water refill tubes for humidification chambers for medical purposes and medical treatments, water refill tubes for humidifiers for use with respiratory treatment apparatus, artificial noses for medical purposes, protective nose masks for medical purposes, nasal cannulas for medical purposes, nose masks for artificial respiration for medical purposes, respiratory masks for artificial respiration, respiratory masks for respiratory assistance for medical purposes, masks for non-invasive respiration, anaesthesia face masks, nasal prongs for newborns and adults, face masks for medical purposes, sets of respiratory tubes for respiratory apparatus, single-use sets of respiratory tubes for respiratory apparatus, autoclavable sets of respiratory tubes, breathing tubes, in particular tubes being accessories for respiration and anaesthesia, respiratory tubes, surface-heated respiratory tubes, endotracheal tube cuffs for medical purposes, inflatable endotracheal tube cuffs for artificial respiration for medical purposes, cuff pressure monitors, apparatus and equipment for measuring, monitoring and adjustment of pressure in endotracheal tube cuffs for medical purposes, apparatus and devices for measuring and monitoring transpulmonary pressure, soda lime cartridges, heat and moisture filters for respiratory apparatus, valves for respiratory apparatus, expiration valves in the form of parts for medical apparatus, expiration valves for medical respiratory apparatus, expiration valves for maintaining lung pressure, peep activators in the form of parts for respiratory apparatus for maintaining pressure, pressure reducers for medical purposes, pressure reducers for medical respirators, measuring cuvettes for medical purposes for determining the carbon dioxide content of the air exhaled by a human, and for analysis of the air flow, sensors for medical purposes, sensors for measuring respiratory flow and breath pressure, sensors for measuring oxygen saturation in the blood, CO2 sensors for medical



purposes, FiO2 sensors, SpO2 sensors for medical purposes, flow sensors for medical purposes, NMT sensors for medical purposes, sensors for respiratory mechanisms, sensors for measuring the pressure in inflatable endotracheal tube cuffs for artificial respiration for medical purposes, sensors for measuring transpulmonary pressure for medical purposes, temperature indicators for medical purposes, temperature measuring apparatus for medical purposes, temperature scanners for medical purposes, temperature monitors for medical purposes, electronic temperature monitors for medical purposes, electronic temperature recorders for medical purposes, temperature regulation instruments for medical purposes, temperature sensors for medical purposes, medical skin sensors and disposable sensors for temperature measurement, sensors for measuring the temperature of breathing air for use in medical respiratory apparatus, temperature probes for medical purposes, sensors for measuring the humidity of breathing air for use in medical respiratory apparatus, optical temperature measuring instruments for medical examination purposes, optical fibre temperature probes for medical diagnostic purposes, temperature-sensitive test instruments and test apparatus for medical purposes, optical scanners for medical examination purposes, optical sensors for water level detection in humidification chambers for medical respiratory apparatus, electrodes for medical apparatus, electrodes for medical use, electrodes for recording biological parameters, non-selective electrodes as chemically sensitive probes (for medical purposes), ECG electrodes, disposable and reusable ECG cables, NMT adapters for medical purposes, NMT electrode cables for medical purposes, nasal cannulae, sprayers for medical purposes, portable nebulisers for medical purposes, pumps for medical use, compressors for medical purposes, filters for medical purposes for purifying breathing air, medical filtering membranes, bacterial filters, water traps being parts and/or accessories for medical apparatus, mechanical filters for respiratory apparatus, airway adapters, filters for respiration systems, connectors for filters for respiratory systems, tube extensions for breathing tubes, breathing bags, test lungs, manual respiration bags, humidification chambers for breathing tube systems, tube heaters in the form of parts for medical apparatus, tube heater adapters in the form of parts for medical apparatus, tube clips in the form of parts for medical apparatus, tube connectors in the form of parts for medical apparatus, compressed air installations and systems for medical purposes, consisting of apparatus and fixed devices for processing, monitoring and providing medical compressed air, gas supply installations and systems for medical purposes, consisting of apparatus and fixed devices for preparing, checking and providing gases for medical purposes, vacuum regulators for medical purposes, spirometers for medical purposes, spirometry apparatus, tubing for medical purposes, medical compressed air tubes, tube systems consisting of tubes for medical purposes, in particular tubes for anaesthesia, respiratory tubes and tubes for medical suction, tube adapters, valves, connectors and accessories, surface-heated respiratory tube systems, filters for medical purposes, pipettes for medical purposes, syringes for medical purposes, medical syringe needles, syringe pumps for medical purposes, septa for medical purposes, apparatus for use in medical analysis, apparatus for use in medical analysis for conducting analyses on blood of human origin, spirometers, measuring devices for medical purposes, measuring instruments adapted for medical use, devices for measuring cardiac, circulatory, respiratory and pulmonary functions, testing instruments for medical purposes, sphygmo-tensiometers, blood pressure monitoring devices, heart rate monitors for medical purposes, heart rate counters for medical purposes, manual probe heads for medical purposes, medical apparatus and instruments for primary care and stabilisation of newborns, air temperature sensors for

incubators, air inlet filters for incubators, O2 distributors for incubators, dispensers for administering and selecting reagent instruments for medical use, apparatus for measuring body signals in connection with patient analysis, patient monitoring apparatus, patient monitoring alarms and patient monitoring sensors, apparatus and instruments for monitoring patients, in particular patient monitoring apparatus, patient monitoring sensors and alarms, alarm management systems for patient monitoring, consisting of patient monitoring apparatus, patient monitoring alarms and/or software for patient monitoring apparatus and patient monitoring alarms, gas emergency signal monitors for monitoring medical gases and gas installations in hospitals, clinical information systems for monitoring patients, consisting of patient monitoring apparatus and patient monitoring alarms, systems for monitoring patient data, consisting of patient monitoring apparatus and patient monitoring alarms, test systems, consisting of testing apparatus for testing the function of medical apparatus and analysis or diagnostic apparatus for medical apparatus, medical analysis apparatus for use in laboratories, medical imaging devices, monitor holders being accessories for medical apparatus and medical furniture, precision instruments for medical purposes, analysis robots for medical purposes, containers for medical waste, containers especially designed for disposing of medical instruments, syringes and other contaminated medical waste, heating plates for humidifiers for use with medical respiratory apparatus, probes for medical use, freezing installations for medical purposes, printed matter, writing supplies, sanitary pads, books, newsletters, magazines, pamphlets, and brochures, greeting cards, prospectuses, operating instructions and technical documentation, garbage bags of paper or of plastics, valves, not of metal, containers, and closures and holders therefor, not of metal, containers for storage purposes, other than for household or kitchen use, flexible containers of plastic for storing and transporting liquids, stackable filing boxes of plastic, drains of plastic, fixing materials, connectors and holders for tubes, not of metal, sharing, accessories and replacement parts for the aforesaid goods, **{indicate specific type and/or purpose of services, i.e., all in the nature of retail store services, Wholesale buying club services and mail order services all featuring the aforesaid goods}**; rental of objects in connection with the providing of the aforesaid services, included in this class **{indicate specific type and/or purpose of services, i.e., in the nature of Rental of signs for advertising purposes}**; collection of data **{indicate specific type and/or purpose of services, i.e., in the nature of Collection of market research information}**; collection of data for use in scientific research **{indicate specific type and/or purpose of services, i.e., in the nature of Collection of market research information}**”.

\* Note that these suggestions are illustrative and not exhaustive.

Applicant is advised to examine the International Classification of Goods and Services established under the Nice Agreement, Tenth Edition, to describe the products or services that are used commercially in Puerto Rico. See <http://www.wipo.int/classifications/nice/es/>.

Note that Rule 33 of the Rules provides that the applicant may amend his application during the review of the application, when required by the Examining Attorney or other official reasons. The applicant may amend his application to clarify or limit, but not to extend the identification of goods or services. Given the above, the Examining Attorney requires that the applicant modify and amend its application for renewal as indicated in this Office Action or otherwise show cause why this amendment is not necessary.

## Complete Description of the Mark Required

The description of the mark is incomplete because it does not describe all the significant aspects of the applied-for mark. Specifically, most of the design elements in the mark have not been included in the description. Applications for marks not in standard characters must include an accurate and concise description of the entire mark that identifies literal elements as well as any design elements. See Rule 16 of the Puerto Rico Trademark Office Regulation of 2011.

Therefore, applicant must provide a more complete description of the applied-for mark.

The following is suggested: **"The mark consists of the stylized wording, "HAMILTON MEDICAL" with the word, "MEDICAL" appearing below the word, "HAMILTON" but also in front of the word, "HAMILTON" with the letter, "O" in the word, "HAMILTON" appearing as a small stylized letter, "H" with a cross through the end of the stylized letter, "H" within a shaded circle."**

In light of the aforementioned, the Examiner requires the Applicant to modify and/or amend the application for registration as provided herein or, otherwise, show cause why such modification is not required.

According to Rule 36 of Puerto Rico's Trademark Rules of Procedure amendments filed must be specified in a written and signed statement by the Applicant or its Representative. Neither Applicant nor its Representative shall rewrite, alter, modify, erase or include words in a pending application. However, the Puerto Rico Trademark Office (PRTTO) may amend the said application with the Applicant's consent.

According to Rule 27 of Puerto Rico's Trademark Rules of Procedure, if the PRTTO does not receive a response to the abovementioned remarks within ninety **(90) days**, the Application shall be considered abandoned.

**Note:** Please refer to the name of the Examining Attorney. The office action response shall be filed online at <https://prtmfiling.f1hst.com/> using the transaction office action response. The cost for the said filing is **\$15.00**. If you have any questions via email to [jpagan@estado.pr.gov](mailto:jpagan@estado.pr.gov)

Cordially,



Julio J. Pagán Pérez  
Examining Attorney  
Puerto Rico Trademark Office